

## **EXHIBIT A**

### **DEFICIENCY NOTICE TO DEFENDANTS**

**Darrell Phillips**

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**From:** Darrell Phillips  
**Sent:** Tuesday, July 28, 2015 11:09 AM  
**To:** richard@bbfpc.com  
**Cc:** John J. Cook; Anthony C. Pietrangelo  
**Subject:** Sledge v. Watts - Deficiency Letter

Richard:

I know that this pre-dates your engagement, but I wanted to bring to your attention certain deficiencies in your clients' discovery responses. If we cannot come to some sort of agreement about production by next Tuesday, we will have no choice but to file a motion to compel. Please let me know if you have any questions.

Request No. 37-43: Tax documents: Your client has refused to provide state and federal tax returns filed on behalf of himself, Indico and SAMI and has similarly refused to provide W-2's and 1099's. We need these immediately. Please provide them. We have ample supportive sworn statements from witnesses now to show the relevance of these requests. We also have records that show he has been moving investor funds through accounts belonging to the entities named above and others.

Request No. 11: Your client has not produced any documents reflecting payments to his brother between 2007 and 2015. Your client has objected that these transfers are not relevant. Because your client's brother Lawrence actually traveled to Guinea in December of 2011 as part of the gold scheme, we disagree. We further disagree because your client's brother testified to having some limited knowledge of the gold scheme (and your client identified him as a person with knowledge of the facts in his initial disclosures).

Request No. 12: Your client has refused to produce the computer he used during the period of January 1, 2011 and July 1, 2014 because there may be privileged materials on it. Please produce a disc image for our forensic review, as well as a privilege log for any materials redacted pursuant to rule or statute.

Request No. 30, 34: Your client claims to have produced documents pertaining to Sheku Condeh in his Dropbox. There is nothing there and no correspondence between him and Sheku Condeh, to whom he sent millions of dollars. I do not believe there will be much dispute that Sheku K/Condeh was a critical player in your clients' investment scheme. Please produce the materials sought.

Request No. 47: Your client argues that funds transferred to Celene Dutzman are not relevant. We have bank information that strongly suggests your client may have paid Ms. Dutzman with our client's money. Please produce materials that are responsive to this request.

Request No. 48: Your client argues that funds transferred to John Chu are not relevant. We have bank information that strongly suggests your client may have paid Ms. Dutzman with our client's money. Additionally, Mr. Chu told me that he was paid by your client at nearly the same time that my client first wired funds to Mr. Watts. Please produce materials that are responsive to this request.

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